REMARKS

Claims 8 and 9 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Adam et al. (EP 0908767) or Kurematsu (JP 2-079841) in view of Layne (US 3,662,660). This rejection is respectfully traversed.

The present invention is concerned with a washing apparatus in which a sheet of material containing substances to be washed out is passed up an inclined planar surface while washing solution flows down the surface, the surface incorporating substantially non smooth resistance means providing a resistance to downward flow of the wash solution and having a capacity to hold wash solution in excess of that of a substantially smooth surface. The invention is directed towards the control of the rate of flow of solution down the planar surface so as to minimize the amount of solution used.

The primary references disclose processing a material in an apparatus having a planar inclined surface along which a material is passed.

The Examiner states that Layne discloses a material processing apparatus with solution flowing by gravity down the material and using a wettable material to cause the processing solution to wet and cling to the wettable material and thus discloses that is already known to use fabric such as velvet or felt to act as a resistance to the flow of liquid. This is not correct.

Layne discloses an apparatus for processing sensitized material such as X-ray film. The apparatus disclosed in Layne allows the sensitized material to be transported in a vertically orientated manner through a downwardly flowing stream of processing fluid. There is no disclosure in Layne of the planar surface incorporating substantially non smooth resistance means providing a resistance to downward flow of the wash solution and having a capacity to hold wash solution in excess of that of a substantially smooth surface, as required by claims 8 and 9 of the present application.

The apparatus disclosed in Layne has a plurality of chambers each having an entrance and an exit and each having a plurality of upright members. The members are arranged along the path of travel of the material. Each upright member has a wettable surface. X-ray material passes through each chamber in a vertical orientation. Processing fluid is introduced into each chamber at the top thereof and flows by gravity between the wettable surfaces. The surfaces are spaced such that the fluid contacts and wets each surface and spans the space between. The material is driven between the wetted surfaces and through the downwardly moving stream of fluid. As pointed out in column 4, lines 36 to 39 of Layne, the space across the film path of travel between the upright members is great enough to prevent the film contacting the surfaces of the members. Thus there is no contact between any solution held on a wettable surface and the

material. At no time does the film come into contact with the wettable surfaces, see column 5, lines 42 to 44. There can therefore be no disclosure nor suggestion of control of the time of contact between the solution and the material being processed in Layne. The path of the solution is controlled such that there is no leakage through the entrance or exit of the chambers but there is nothing either disclosed nor suggested in respect of controlling the flow along the material. In fact the path of the solution and the path of the material are perpendicular to each other rather than counter current as in the present invention.

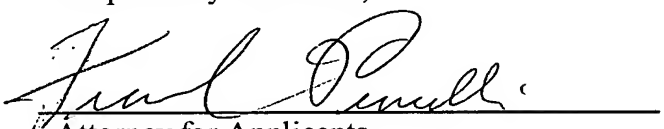
In view of the above Applicant submits that even should someone be motivated to combine Layne with Adam or Kurematsu, the combination would not result in the invention claimed in either claim 8 or claim 9.

For the reasons set out above claims 8 and 9 of present application should be allowed over Layne in combination with Adam or Kurematsu.

The examiner has indicated that claim 10 is allowable.

In view of the foregoing, Applicant respectfully submits that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



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Enclosures

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